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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ROSANNA WILSON-FARROW,
Plaintiff,
v.
UNITED STATES OF AMERICA,
Defendant.

Case No. 14-cv-00112-MEJ

**STIPULATION AND ~~PROPOSED~~
ORDER RE DISMISSAL OF
PLAINTIFF'S CLAIMS FOR
NEGLIGENT SUPERVISION,
TRAINING, AND FAILURE TO
ADOPT/ENFORCE RULES**

Pursuant to Federal Rule of Civil Procedure 41(a), Plaintiff Rosanna Wilson-Farrow ("Plaintiff") and Defendant United States of America hereby stipulate and agree to dismiss, without prejudice, the following claims outlined in paragraph 18 of Plaintiff's Complaint in the above-captioned action:

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- 1 (a) Failing to supervise and monitor the treatment and care rendered to Decedent while
2 he was a patient in its facilities when it knew or should have known that its staff did
3 not possess the training, experience, skills, and judgment to treat him properly;
4 (b) Failing to ensure that Defendant's treatment was in accordance with Defendant's
5 policies and procedures when it knew or should have known that its medical and
6 nursing personnel were not properly treating Mr. Farrow;
7 (c) Failing to train those providing treatment and care to Decedent;
8 (h) Failing to adopt and/or enforce rules, regulations, and procedures to ensure proper
9 medical care for Decedent; and
10 (i) Failing to adopt and/or enforce rules, regulations and procedures to ensure adequate
11 and timely consultations with Decedent.

12 Plaintiff's Complaint at ¶¶ 18(a)-(c), (h), and (i).

13 SO STIPULATED AND AGREED.

14
15 Dated: August 21, 2015

Respectfully,

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17 MELINDA HAAG
United States Attorney

18 /s/ Robin M. Wall

19 ROBIN M. WALL
20 Assistant United States Attorney
Attorneys for Defendant

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22 SMITH LAW OFFICES, APC

23 /s/ Paul J. Burkhart

24 PAUL J. BURKHART
25 Attorneys for Plaintiff
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CERTIFICATION

Pursuant to Civil L.R. 5-1(i)(3), the undersigned hereby attests that Paul J. Burkhart has concurred in the filing of this document.

Dated: August 21, 2015

MELINDA HAAG
United States Attorney

/s/ Robin M. Wall

ROBIN M. WALL
Assistant United States Attorney
Attorney for Defendants

~~[PROPOSED]~~ ORDER

Pursuant to the above stipulation of the parties, Plaintiff's claims for negligent supervision, training, and failure to enforce or adopt rules, regulations, and procedures, as alleged in paragraphs 18(a)-(c), (h), and (i) of Plaintiff's Complaint, are dismissed from the above-captioned action without prejudice.

IT IS SO ORDERED.

Dated: August 21, 2015



HON. MARIA ELENA JAMES
UNITED STATES MAGISTRATE JUDGE

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